



National Conference of Women's Bar Associations

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Nomination Form for 2017 Public Service Award and Outstanding Members Program Award

The National Conference of Women's Bar Association's (NCWBA) Public Service Award and Outstanding Member Program Award recognize significant accomplishments of women's bar associations across the country. The **Public Service Award** is given to recognize a wide variety of outstanding and unique public service projects. The **Outstanding Member Program Award** is given to recognize bar associations' innovation projects, programs and service to their members. The NCWBA hopes that these Awards will inspire other women's bar associations to initiate similar programs in their own regions. For information about past recipients of both Awards, go to www.ncwba.org.

Nominations are due Friday, January 20, 2017.

Nominations are only accepted from member organizations of NCWBA (whose dues are current or submitted with the application). Projects co-sponsored with other non-bar association organizations may be considered, although more weight is given to those carried out solely by a women's bar association.

Instructions

Complete the nomination form and return it to the NCWBA Awards Committee at awards@ncwba.org. Supplemental information about your nominee is also accepted, however, the total number of pages for the nomination (including the nomination form) should be limited to 10 pages.

Nominee:

(boxes will expand as you type)

Name of women's bar association being nominated:	Women's Bar Association of Massachusetts, Inc.
Name of project, program or service being nominated:	Enactment of "An Act to Establish Pay Equity"
Name of contact person for purposes of award notification:	Pattye Comfort
Association's address:	27 School Street, Suite 500, Boston, MA 02108
Telephone number of contact person:	617.973.6666 x2218
Email of contact person:	pcomfort@womensbar.org
Number of members in the bar association:	1,500

****Please make sure to notify the NCWBA of any change in contact information after submission of nomination to ensure timely notification of the awards decision.**

Indicate which Award the bar association is being nominated for:



Public Service Award

1. About the Bar Association being Nominated:

In the space that follows, tell us about the women's bar association being nominated for an award. Include the year the association was established, a brief sketch of its growth and development, its major contributions to the legal community or community at-large, and its current membership. The space below is designed to expand to fit the length of your narrative.

Year Established: 1978

Number of Members: 1,500

About the Organization:

Founded in 1978 by a group of activist women lawyers, the WBA is one of the most established women's bar associations in the country. Committed to the full and equal participation of women in the legal profession and in a just society, the WBA works to achieve its mission through committees and task forces, and by developing and promoting a legislative agenda to address society's most critical social and legal issues. The WBA began as an all-volunteer organization, hiring its first paid staff in 1992. Today, the WBA has a professional staff of three full-time-equivalent employees, boasts a vast membership (approximately 1,500) of accomplished women lawyers, judges and law students across Massachusetts, and includes more than two dozen regional, affinity group and substantive committees. Sought after by the press as an expert on women's legal issues, listened to in the legislative arena, and looked to for guidance in its amicus briefs, the organization has grown in influence within the Massachusetts legal community. The WBA serves as a clearinghouse of information for its members through a weekly electronic newsletter (Week In Preview") as well as through the Women's Bar Review (a bi-annual publication) and an Annual Report.

2. About the Project, Program or Service being Nominated:

In the space that follows, tell us about the project, program or service being nominated for an award. First, describe the project, program or service in one sentence (i.e., a sound bite). Then go on and describe the project, program or service in detail, giving sufficient detail so that another women's bar association wishing to do a similar project could use your description as an outline of their action plan. Include information on how and why the project, program or service was initiated, historical information for the project, program or service, give the number of women attorneys involved, the number of people impacted and overall results achieved. Copies of photographs, news clippings or other supporting documentation may be attached to the narrative. The space below is designed to expand to fit the length of your narrative.

Description of project, program or service in one sentence:

- *Example: "The Pipeline to Leadership Project provides leadership training to women attorneys who are interested in securing positions on public boards and commissions."*

Details about the project, program or service:

"An Act to Establish Pay Equity", signed into law in Massachusetts on August 1, 2016, is the most comprehensive pay equity law in the country and helps address the gender wage gap by clarifying the definition of comparable work, allowing employees to discuss their salaries without threat of retaliation by their employer and banning the practice of requiring salary history on job applications before a job offer is made.

The WBA of Massachusetts (WBA) formed its Pay Equity Task Force in September, 2014 to research the gender pay gap and propose legislation to help close the gap. The WBA Task Force along with the Massachusetts Chapter of the National Organization of Women (MassNOW) drafted the originally filed bill which was sponsored by two state Representatives and two state Senators. At the beginning of the 2015-2016 legislative session, the WBA, MassNOW and the Massachusetts Commission on the Status of Women founded the Massachusetts Equal Pay Coalition, which consisted of more than 50 organizations that worked over the course of the session alongside legislators, Attorney General Maura Healey and the business community to advance the bill.

We must also give credit for this historical legislative achievement to the "Lilly Ledbetter" of Massachusetts - a small group of female cafeteria workers who sued the Everett, Massachusetts public schools in 1989. Their suit alleged that their work was comparable to the male custodians who worked in the school system, yet the women were paid only half as much as the men were paid. They became known as the "Everett Lunch Ladies" and their suit was the first test of the state's then-existing equal pay law. The lunch ladies lost their case in a 4-3 decision of the Massachusetts Supreme Judicial Court. The WBA has been working on this issue - in one form or another - since the lunch ladies filed suit and finally, in 2016, we can claim victory.

3. Tell Us What Makes Your Project, Program or Service Special

In the space that follows, tell us what is unique about your project, program or service and why it is special. The space below is designed to expand to fit the length of your narrative.

What makes this project, program or service special:

- *Example: "The Visiting Mom Project" is special and unique because it filled an unmet need of young children visiting their incarcerated mothers. The Project created a new visiting room for the children which was warm and inviting, looking more like a public library than a jail, and sent a message to incarcerated mothers that reaffirmed their humanity and their roles as mothers."*

The passage of the Massachusetts "Act to Establish Pay Equity" is special because this law is the strongest equal pay law in the nation. The strategy used to advocate for this historical legislative accomplishment serves as a blueprint that other women's bar associations can use to pass just as strong pay equity laws in their states. Pay equity legislation had been languishing in the Massachusetts state house for decades and it wasn't until the WBA formed its 2014 task force and subsequently formed a very broad coalition - including business organizations - to advocate for the passage of the bill that we achieved our goal. We think others can learn from our experience and are happy to provide the details that lead to our success in Massachusetts.

Submission Deadline: Nominations are due Friday, January 20, 2017.

Send your completed Nomination Form to the NCWBA Awards Committee at awards@ncwba.org

The Nomination Form and any supplemental information should be limited to 10 pages.

SHIRLEY LEUNG

Does new law mean real pay equity for women? Not quite



ELISE AMENDOLA/ASSOCIATED PRESS

Supporters watched as Massachusetts Governor Charlie Baker signed an equal pay bill into law Monday.

By Shirley Leung | GLOBE STAFF AUGUST 04, 2016

With Massachusetts passing the strongest equal pay law in the country, this

Well, not exactly.

The law, which Governor Charlie Baker signed on Monday after unanimous support from the Legislature, will help narrow the gender wage gap, but it's more complicated than mandating a woman with the same job title collect the identical paycheck as the guy next to her.

Our pay equity law is distinctive for three reasons: It promotes salary transparency, restricts employers from asking candidates about salary history, and gives legal incentives to companies that conduct salary reviews.

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The law takes effect July 1, 2018, but it's not too soon to understand how the groundbreaking legislation will affect employers and employees. Here are answers to some common questions:

Does the new era of transparency mean I can ask my colleagues what they make?

Under the new law, companies cannot ban employees from openly discussing salaries with each other. But that doesn't mean your co-workers have to tell you. So Dan, there's no reason to avoid me in the hall.

Similarly, I can go to HR and ask what Shaughnessy makes and not get glared at. But chances are I won't be told because the law also preserves the ability of employers to protect confidential information of employees.

So how does this help anyone? Ultimately, the new law aims to create a workplace environment in which employees can talk about wage gaps and compel employers to monitor and fix them. Think about what's happening in the tech industry after pressure from shareholder activists led by Natasha Lamb of Arjuna Capital . The Boston-area executive has successfully pushed companies — from Apple to Microsoft — to publicly report gender pay inequities, which means there can be accountability.

Transparency can help women — and men — determine whether they are fairly paid. Women in Massachusetts make on average 82 cents for every dollar a man earns; black women fare worse, at 61 cents, and Latinas are at 50 cents. The thinking is that awareness is half the battle. State Treasurer Deb Goldberg has even set up a website, equalpayma.com, to help women understand how underpaid they might be.

Does this mean people with the same job title must make the same amount of money?

Federal and state laws have been on the books for decades to prohibit gender-based wage discrimination. The laws have allowed for differences in pay based on experience. For example, Shaughnessy and I have the same title, and if there is a difference in pay, it might be because he has more than two decades of seniority on me.

What's new is that the state now provides better ways to compare the work of two employees in the same or similar jobs. The new law provides standards based on skill, responsibility, and effort, provided the jobs are performed under similar working conditions.

The legislation rose out of a lawsuit that a group of female cafeteria workers in Everett lost. They alleged they did comparable work as the school's male custodians, but the women were paid about half as much. The court ruled that

the state law did not set a standard for comparable work so that's what lawmakers fixed.

What's the big deal about salary history?

Women traditionally earn less than men and asking female candidates about wage history could lock them into lower salaries. Under the new law, employers during the interview process cannot ask candidates what they make in their current position. Associated Industries of Massachusetts, a business group that first opposed then supported the pay equity legislation, is advising members to update job applications and not include a salary requirement.

If a prospective employee volunteers that information, it is OK for the employer to discuss and confirm. It is also OK *after* an employer makes a job offer with a salary figure to talk about wage history.

I can't help myself here, but let me offer a tip to any job candidate — male or female. If a prospective employer asks for a salary in an interview, don't give out a specific number. Let the company make the first offer and negotiate from there. If pressed, offer a range of compensation. That's the best advice I got from a salary negotiation workshop sponsored by the city of Boston.

How can salary reviews make a difference?

The new law encourages companies to evaluate salaries in order to detect disparities among employees. If firms do so, they will get added legal protection if a worker sues for gender-based wage discrimination. For example, if a company discovers pay inequities during its review and then is sued for discrimination, it has a three-year window to demonstrate it has taken steps to eliminate the gap.

Compensation disparities often aren't intentional, but unconscious bias and salary history can keep wages lower for women. As the bill was being crafted, lawmakers heard stories from companies — including those run by female CEOs — that when firms looked they found unequal pay between male and female employees that could not be explained.

That's why the city of Boston has launched an ambitious project to collect wage data from dozens of businesses to analyze gender disparities. The process itself forces companies to take a closer look at why some women are paid less than male counterparts.

How will we know if the new law is a success?

That's easy. It's working if Shaughnessy starts wondering if he makes as much money as me.

Shirley Leung is a Globe columnist. She can be reached at shirley.leung@globe.com. Follow her on Twitter [@leung](https://twitter.com/leung).

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